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PTO/SB/21 (04-04)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/821,243	
	Filing Date	April 7, 2004	
	First Named Inventor	Jeffrey P. WHITTEN	
	Art Unit	1614	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	8	Attorney Docket Number	532232001100

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 (2 pages + duplicate) 23 References Return Receipt Postcard
<div>Remarks</div> <p>CUSTOMER NO. 25225</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Emily C. Tongco - 46,473
Signature	
Date	October <u>12</u> , 2004
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated: October <u>12</u> , 2004 Signature: (Rhea Amid)	



PATENT
Docket No. 532232001100

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on October 12, 2004.

Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jeffrey P. WHITTEN et al.

Serial No.: 10/821,243

Filing Date: April 7, 2004

For: SUBSTITUTED
QUINO BENZOXAZINE ANALOGS

Examiner: Not Yet Assigned

Group Art Unit: 1614

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

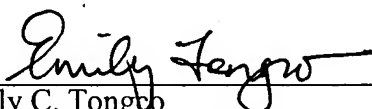
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **532232001100**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 12, 2004

Respectfully submitted,

By: 
Emily C. Tongco
Registration No. 46,473

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Form PTO-1449

Docket Number 532232001100

Application Number 10/821,243

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Applicant

Jeffrey P. WHITTEN et al.

Filing Date April 7, 2004

Group Art Unit 1614

Mailing Date October 12, 2004

(Use several sheets if necessary)



U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	08/1985	4,533,663	Chu	514	223	
	2.	12/1985	4,559,157	Smith et al.	424	401	
	3.	08/1986	4,608,392	Jacquet et al.	514	772	
	4.	04/1989	4,820,508	Wortzman	424	059	
	5.	07/1990	4,938,949	Borch et al.	514	476	
	6.	02/1991	4,992,478	Geria	514	782	
	7.	07/1993	5,225,418	Miller	514	285	
	8.	06/1994	5,318,965	Chu et al.	514	229.5	
	9.	04/1997	5,624,924	Chu et al.	514	224.5	
	10.	12/1997	5,703,055	Felgner et al.	514	044	
	11.	04/2001	6,214,560	Yguerabide et al.	435	007.1	
	12.	03/2003	6,528,517	Hurley et al.	514	279	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	13.	02/1990	JP 02040379	Japan			Abstract
	14.	03/1992	WO 92/03136	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	15.	Anantha et al., Biochemistry (1998) 37:2709-2714
	16.	Ansell et al., Current Opinion in Biotechnology (1996) 7:89-94

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

Docket Number 532232001100

Application Number 10/821,243

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Jeffrey P. WHITTEN et al.

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Group Art Unit 1614

Mailing Date October 12, 2004

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| 17. | Berge et al., J. Pharm. Sci. (1977) 66:1-19 |
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